

Application No.10/613,083
Amendment Dated March 8, 2004
Reply to Office Action of November 7, 2003

REMARKS/ARGUMENTS

Claims 1, 9, and 17 have been amended. No new claims have been added. No claims have been canceled. Claims 1-24 remain pending in this application. Reexamination and reconsideration of the application as amended are respectfully requested.

Information Disclosure Statement

The Examiner alleges that the Information Disclosure Statement filed 2-2-2001 fails to comply with 37 CFR 1.98(a)(2) which requires a legible copy of each publication or that portion which caused it to be listed. The Examiner indicated that references whose copies are missing have been crossed out indicating the references which have not been considered because their hard copies are missing from the case.

Applicant respectfully disagrees and asserts that the information disclosure statement was filed in compliance with 37 CFR 1.98(a)(2) which requires a legible copy of each publication or that portion which caused it to be listed. The alleged missing references which are books, instead of smaller multi-page articles or patents, were filed in the same box as the IDS and transmittal. Applicant suggests that these alleged missing references are still in the box instead of the file wrapper. Copies of the same references were temporarily misplaced in the prosecution of related application serial number 09/612,866, IBM docket number STL9-2000-0068, now issued U.S. Patent number 6,400,287. Applicant notes that the alleged missing references are listed as References Cited on the first and second pages of the related U.S. Patent number 6,400,287.

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Rejections under 35 U.S.C. § 112 of Claims 1-24

The Examiner rejected claims 1-24 under 35 USC § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant respectfully traverses this rejection for the reasons set forth below.

Applicant has amended claims 1, 9, and 17 making the appropriate amendments such that the claims particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant therefore respectfully requests that the Examiner reconsider and withdraw the 35 USC § 112, second paragraph, rejections of claims 1-24.

Rejections under 35 U.S.C. § 103 of Claims 1-24

The Examiner rejected claims 1-24 under 35 U.S.C. § 103(a) as being unpatentable over the Applicant's disclosure in view of *Edberg et al.*, U.S. Patent No. 5,793,381. Applicant respectfully traverses this rejection for the reasons set forth below.

Independent claims 1, 9, and 17 have been amended. Applicant therefore respectfully requests that the Examiner reconsider and withdraw the 35 U.S.C. § 103(a) rejections of claims 1-24.

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Prior Art Made of Record and Not Relied Upon

Applicant has reviewed the prior art made of record and not relied upon considered pertinent to Applicant's disclosure, and these fail to teach or suggest the claimed invention.

Conclusion

Applicant therefore respectfully requests that the Examiner reconsider all currently outstanding objections and rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this Application, the Examiner is invited to telephone the undersigned at the number provided. Prompt and favorable consideration of this Response is hereby solicited.

Respectfully submitted,
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Date: March 8, 2004